


## FORECLOSURE DEED

STATE OF ALABAMA       )  
                                      )  
SHELBY COUNTY         )

  
20181019000372500 1/4 \$30.00  
Shelby Cnty Judge of Probate: AL  
10/19/2018 02:01:02 PM FILED/CERT

### KNOW ALL MEN BY THESE PRESENTS:

**WHEREAS**, on to-wit, March 28, 2014, Brian S. Cummings, married and Daria L. Ward-Ballenger, married, ("Mortgagors"), executed a certain mortgage ("Mortgage") to Green Tree Servicing LLC said Mortgage being recorded April 10, 2014 in Instrument Number 20140410000104480 in the Office of the Judge of Probate of Shelby County, Alabama; having been assigned to U.S. Bank, N.A., as Trustee, successor in interest to Wachovia Bank, National Association, as Trustee, for Mid-State Trust VII by instrument recorded in Instrument Number 20180813000288680, in the Office of the Judge of Probate of Shelby County, Alabama.

**WHEREAS**, default was made in the payment of the indebtedness secured by said Mortgage, and U.S. Bank, N.A., as Trustee, successor in interest to Wachovia Bank, National Association, as Trustee, successor by merger to First Union National Bank, as Trustee, for Mid-State Trust VII, by Ditech Financial LLC, as servicer with delegated authority as holder, did declare all of the indebtedness secured by the said Mortgage, due and payable, and said Mortgage subject to foreclosure as therein provided and did give due and proper notice of the foreclosure of said Mortgage in accordance with the terms thereof, by U.S. Mail and by publication in Shelby County Reporter a newspaper published in Shelby County, Alabama, in its issues of 09/12/2018, 9/19/2018 and 9/26/2018.

**WHEREAS**, on October 19, 2018 the day on which the foreclosure sale was due to be held under the terms of said notice between the legal hours of sale, said foreclosure sale was duly and properly conducted, and U.S. Bank, N.A., as Trustee, successor in interest to Wachovia Bank, National Association, as Trustee, successor by merger to First Union National Bank, as Trustee, for Mid-State Trust VII, by Ditech Financial LLC, as servicer with delegated authority did offer for sale and sell at public outcry, in front of the Courthouse door, Shelby County, Alabama, the property hereinafter described; and

**WHEREAS**, the highest and best bid obtained for the property described in the Mortgage was the bid of Ditech Financial LLC in the amount of One Hundred Twenty-Two Thousand Nine Hundred and 00/100 (\$122,900.00) Dollars, which sum was offered to be credited on the indebtedness secured by the Mortgage, and said property was thereupon sold to Ditech Financial LLC, as purchaser; and

**WHEREAS**, Paul K. Lavelle conducted said sale on behalf of U.S. Bank, N.A., as Trustee, successor in interest to Wachovia Bank, National Association, as Trustee, successor by merger to First Union National Bank, as Trustee, for Mid-State Trust VII, by Ditech Financial LLC, as servicer with delegated authority as holder; and

**WHEREAS**, the terms of the Mortgage expressly authorized the person conducting said sale to execute to the purchaser at said sale a deed to the property so purchases;

**NOW THEREFORE**, in consideration of the premises and the payment of One Hundred Twenty-Two Thousand Nine Hundred and 00/100 (\$122,900.00) Dollars, Mortgagors, by and through U.S. Bank, N.A., as Trustee, successor in interest to Wachovia Bank, National Association, as Trustee, successor by merger to First Union National Bank, as Trustee, for Mid-State Trust VII, by Ditech Financial LLC, as servicer with delegated authority, does grant, bargain, sell and convey unto Ditech Financial LLC the following described real property situated in Shelby County, Alabama to wit:

Lot 1, Block B, according to the Map of the River View Subdivision, as recorded in Map Book 4, Page 63, in the Probate Office of Shelby County, Alabama. Situated in Shelby County, Alabama.

**TO HAVE AND TO HOLD**, the above described property unto Ditech Financial LLC, its successors, assigns and legal representatives; subject however, to the statutory right of redemption on the part of those entitled to redeem as provided by the laws of the State of Alabama.

**IN WITNESS WHEREOF**, U.S. Bank, N.A., as Trustee, successor in interest to Wachovia Bank, National Association, as Trustee, successor by merger to First Union National Bank, as Trustee, for Mid-State Trust VII, by Ditech Financial LLC, as servicer with delegated authority as holder, has caused this instrument to be executed by and through Paul K. Lavelle, as auctioneer conducting said sale for said Mortgagee, and said Paul K. Lavelle, has hereto set hand and seal on this the 19th day of October, 2018.

**BY: Brian S. Cummings, Mortgagor(s)**

**BY: Daria L. Ward-Ballenger, Mortgagor(s)**

**BY: U.S. Bank, N.A., as Trustee, successor in interest to Wachovia Bank, National Association, as Trustee, successor by merger to First Union National Bank, as Trustee, for Mid-State Trust VII, by Ditech Financial LLC, as servicer with delegated authority, Mortgagee or Transferee of Mortgagee**

**BY:**   
**(Sign)** \_\_\_\_\_

**BY:**   
**(Print)** \_\_\_\_\_

Auctioneer and the person conducting said sale  
for the Mortgagee or Transferee of Mortgagee

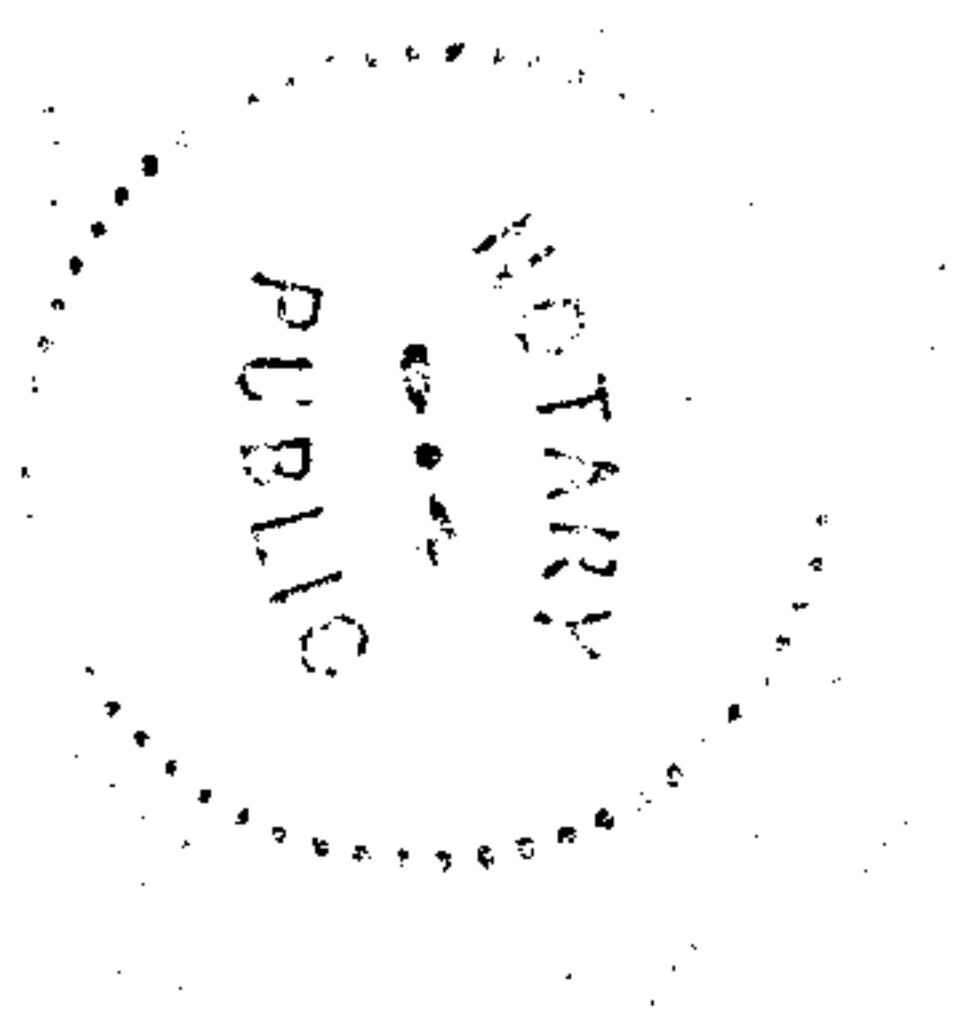
**STATE OF ALABAMA** )

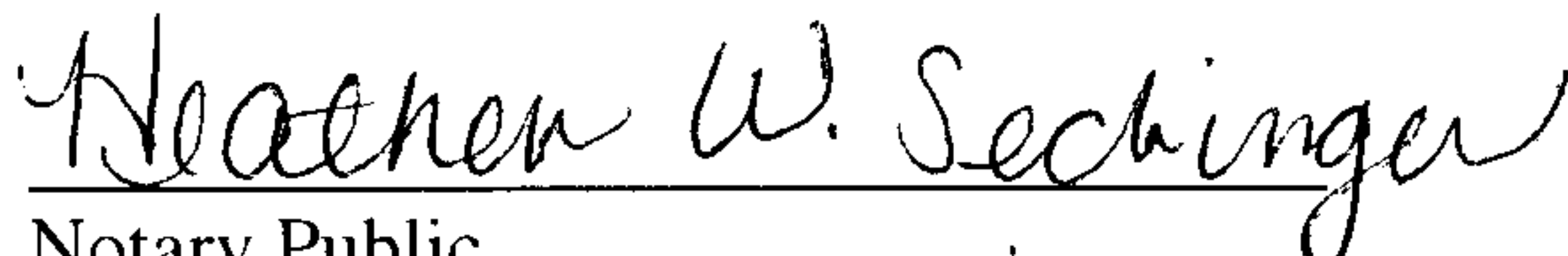
**JEFFERSON COUNTY** )


I, the undersigned, a Notary Public in and for said in said State, hereby certify that Paul K. Lavelle, whose name as auctioneer and attorney in-fact for the Mortgagee, is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day, that being informed of the contents of this conveyance, in capacity as such auctioneer, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 19th day of October, 2018

[Notary Seal]



  
Notary Public  
My Commission Expires: 2/28/22

  
20181019000372500 2/4 \$30.00  
Shelby Cnty Judge of Probate, AL  
10/19/2018 02:01:02 PM FILED/CERT



This instrument prepared by:  
Paul K. Lavelle  
SPINA & LAVELLE, P.C.  
One Perimeter Park South, Suite 400N  
Birmingham, Alabama 35243  
(205) 298-1800  
Attorneys for Mortgagee

Grantor:  
U.S. Bank, N.A., as Trustee,  
successor in interest to  
Wachovia Bank, National  
Association, as Trustee,  
successor by merger to First  
Union National Bank, as  
Trustee, for Mid-State Trust  
VII, by Ditech Financial LLC,  
as servicer with delegated  
authority

Grantee:  
Ditech Financial LLC  
Ditech Payment Processing  
PO Box 660934  
Dallas, TX 72566-0934

Property Address:  
15 River Road  
Wilsonville, AL 35186



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Real Estate Sales Validation Form

*This Document must be filled in accordance with Code of Alabama 1975, Section 40-22-1*

Grantor's Name: Brian S. Cummings  
Mailing Address: 15 River Road  
Wilsonville AL 35186

Grantee's Name Ditech Financial LLC  
3000 Bayport Drive, Suite 880  
Tampa, FL 33607

Property Address: 15 River Road  
Wilsonville, AL, 35186

Date of Sale:

Total Purchase Price: \$122,900.00

or

Actual Value \$ \_\_\_\_\_

or

Actual Market Value \$ \_\_\_\_\_

The purchase price or actual value claimed on this form can be verified in the following documentary evidence:  
(check one) (Recordation of documentary evidence is not required)

☐ Bill of Sale  
☐ Sales Contract  
☐ Closing Statement

☐ Appraisal  
☒ Other Foreclosure Deed

If the conveyance document presented for recordation contains all of the required information referenced above, the filing of this form is not required.

Instructions

Grantor's name and mailing address- provide the name of the person or persons conveying interest to property and their current mailing address.

Grantee's name and mailing address- provide the name of the person or persons to whom interest to property is being conveyed.

Property address – the physical address of the property being conveyed, if available.

Date of Sale – the date on which interest to the property was conveyed.

Total purchase price – the total amount paid for the purchase of the property, both real and personal, being conveyed by the instrument offered for record.

Actual value – if the property is not being sold, the true value of the property, both real and personal, being conveyed by the instrument offered for record. This may be evidenced by an appraisal conducted by a licensed appraiser or the assessor's current market value.

If no proof is provided and the value must be determined, the current estimate of fair market value, excluding current use valuation, of the property as determined by the local official charged with the responsibility of valuing property for property tax purposes will be used and the taxpayer will be penalized pursuant to Code of Alabama 1975 § 40-22-1(h).

I attest, to the best of my knowledge and belief that the information contained in this document is true and accurate. I further understand that any false statements claimed on this form may result in the imposition of the penalty indicated in Code of Alabama 1975 § 40-22-1(h).

Spina & Lavelle, P.C.

Date: October 19, 2018

By: Paul K. Lavelle

Sign: \_\_\_\_\_

Unattested  
(verified by)

As Attorney for: U.S. Bank, N.A., as Trustee, successor in interest to Wachovia Bank, National Association, as Trustee, successor by merger to First Union National Bank, as Trustee, for Mid-State Trust VII, by Ditech Financial LLC, as servicer with delegated authority

